

Message Text

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ACTION EB-08

INFO OCT-01 EA-07 ISO-00 FMC-01 OES-06 COME-00 OPIC-03 L-03
CIAE-00 INR-07 NSAE-00 DOTE-00 /036 W
-----101104Z 122680 /11

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FM AMEMBASSY MANILA
TO SECSTATE WASHDC 5891

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E O 11652: NA
TAGS: EWWT, RP
SUBJ: SHIPPING: FLAG DISCRIMINATION ON P.D. 894

1. GOP HAS INTRODUCED A NEW CONSULAR INVOICE FORM, AND
SOME GOP CONSULATES ABROAD APPARENTLY HAVE ISSUED DETAILED
INFORMATION WITH THE NEW FORMS WHICH STATES THAT GOODS
SHIPPED TO GOP AGENCIES OR CORPORATIONS AS WELL AS TO ANY
PERSON OR COMPANY ENJOYING ANY TAX EXEMPTION, INCENTIVE
OR SUBSIDY FROM THE GOP SHOULD BE LOADED ON PHILIPPINE FLAG
VESSELS. THIS WAS REPORTED, FOR EXAMPLE, IN THE LIVERPOOL
JOURNAL OF COMMERCE ON DECEMBER 29.

2. WE HAVE INFORMALLY SOUGHT CLARIFICATION OF THE REPORT
FROM THE DFA OFFICE OF ECONOMIC AFFAIRS, AND ITS DEPUTY
CHIEF, MRS. DELORES SALES, HAS ASSURED US THAT PD 894
WAS NOT BEING IMPLEMENTED AND REPORTED THAT SHE COULD
FIND NO SUCH DETAILED INFORMATION AT THE DFA. SHE TOLD
US THAT CURRENT DFA INSTRUCTIONS TO CONSULS ARE EMBODIED
IN FOREIGN SERVICE CIRCULAR NO. 765 OF FEBRUARY 27, 1958
AND IN FOREIGN SERVICE CABLE (FSC) 157-76 OF MAY 28, 1976.
THE FIRST INSTRUCTIONS PERTAIN TO GOODS CONSIGNMENT TO
GOP ENTITIES AND TO PERSONNEL OF THE HOME OFFICE AND
THE FOREIGN SERVICE ON OFFICIAL TRAVEL.

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3. FSC 157-76 PROVIDES THAT, PENDING THE ISSUANCE OF
IMPLEMENTING REGULATIONS FOR PD 806 AND 894, THE
FOLLOWING GUIDELINES ARE TO BE ADHERED TO: (I) SHIPMENTS
CONSIGNMENT TO GOP AGENCIES OR GOP-OWNED OR CONTROLLED
CORPORATIONS SHOULD BE LOADED ON PHILIPPINE FLAG
CARRIERS OR SHIPPING LINES; AND (II) THE TERM
"PHILIPPINE FLAG AIR CARRIERS AND SHIPPING LINES"

SHALL NOT INCLUDE AIR CARRIERS AND VESSELS OF PHILIPPINE
REGISTRY THAT ARE LEASED OR CHARTERED BY FOREIGN
NATIONALS. FYI. FOREGOING HAS BEEN ISSUED IN BRUSSELS
BY GOP CONSUL GENERAL TOMAS T. SYQUIA.

4. COMMENT: MRS SALES' ASSURANCES, HOWEVER, CLASH
WITH OCCASIONAL REPORTS FROM THE U.S. THAT SHIPPERS OR
IMPORTERS HAVE TO OBTAIN WAIVERS FROM THE PHILIPPINE
CONSUL FOR THE SHIPMENT OF CCC-FINANCED CARGOES OF
COTTON ON NON-RP VESSELS. ONE IMPORTER HAS TOLD US
THAT HE HAS SOLVED THE PROBLEM BY GIVING ONE
SHIPMENT OF COTTON TO THE MARITIME COMPANY OF THE
PHILIPPINES (MPC) WHICH IN TURN GRANTS HIM WAIVERS
FOR TWO SHIPMENTS. THE LATTER TWO SHIPMENTS GO VIA
CONTAINER.

5. IT IS OUR UNDERSTANDING THAT THE PHILIPPINE CONSUL
CHECKS WITH THE MCP AGENT BEFORE HE ISSUES A WAIVER OF
NON-AVAILABILITY OF PHILIPPINE FLAG VESSELS. DURING
A TRIP TO MANILA LAST FALL VICENTE JAYME, MCP REP IN
SAN FRANCISCO, TOLD AN EMBOFF ABOUT HIS POWER TO GRANT
WAIVERS. (HE IS AN AMERICAN CITIZEN BY HIS OWN STATEMENT).

6. PERHAPS THE DEPARTMENT SHOULD CONSIDER ASCERTAINING
WHETHER THE GOP CONSULATES IN THE UNITED STATES ARE
IMPLEMENTING P.D. 894 AND WHAT THE ROLE OF PRIVATE
U.S. CITIZENS ACTING AS MCP REPS OR AGENTS HAS BEEN
IN THIS REGARD. IF THE GOP CONSULS REPORT THE
APPROACHES BACK TO THEIR EMBASSY OR TO DFA, SUCH
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REPORTS MIGHT BE HELPFUL IN REINFORCING THE INFORMAL
APPROACHES WHICH WE HAVE BEEN MAKING IN OUR EFFORT TO
GET THE GOP TO AMEND P.D. 894.

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SHIPS, DISCRIMINATION
Control Number: n/a
Copy: SINGLE
Sent Date: 10-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MANILA02115
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
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Film Number: D770047-1084
Format: TEL
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770255/aaaabwdb.tel
Line Count: 101
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Litigation History:
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Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
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Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3355586
Secure: OPEN
Status: NATIVE
Subject: SHIPPING: FLAG DISCRIMINATION ON P.D. 894
TAGS: EWWT, RP, (SALES, DELORES)
To: STATE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/e35474c8-c288-dd11-92da-001cc4696bcc
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